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REMARKS

Claims 1-3, 6, 8-10, 12-23, 25-27, 31-33, and 40 are pending herein.

1. Claims 1-34 and 36 were rejected under the doctrine of obviousness-type double patenting over claims 1-25 of US 6,844,084. While Applicants believe that this rejection is in error for the reasons discussed below in connection with the §103 rejection, Applicants file herewith a Terminal Disclaimer to remove the obviousness-type double patenting rejection in an effort to advance the prosecution of the present application.

2. Claims 1-34 and 36 were rejected under §103 over Kokta et al. This rejection is respectfully traversed for the following reasons.

The claimed invention is drawn to a single crystal spinel wafer that includes front and back faces, and an outer periphery having first and second flats. As recited, the first flat indicates an orientation of a cleavage plane of the wafer, the cleavage plane intersecting the front face at a locus of points extending along a line, the line being parallel to the first flat. Further, the second flat indicates a direction of cleavage propagation of the cleavage plane. That is, the claimed single crystal spinel wafer has not one but two flats, the flats indicating orientation and direction of propagation of a cleavage plane.

The claimed invention is generally in direct contrast with state of the art spinel wafers. Which include only a single flat, that flat indicating the crystallographic orientation of the wafer. Prior art single flats do not convey any information with respect to the orientation of a cleavage plane, let alone its direction of cleavage propagation. The reference cited by the PTO, Kokta et al., is commonly owned by the present assignee and shares a common inventor with the present application. The disclosure of Kokta et al. is consistent with the state of the art, and merely recognizes that in the context of spinel substrates, a flat may be ground into the outer periphery of the wafer indicating crystallographic orientation of the wafer. However, the single flat does not indicate orientation of a *cleavage plane*, and certainly, first and second flats are not disclosed or even remotely suggested by Kokta et al. to indicate orientation of the cleavage plane as well as direction of cleavage propagation of the cleavage plane.

In addition, Applicants draw the attention of the PTO to new claim 40, which is identical to claim 1, but specifically recites the crystal planes along which the first flat extends, and the crystal planes along which the second flat extends. Certainly, the art of record does not disclose or even remotely suggest such orientation of the first and second flats.

For at least the foregoing reasons, Applicants respectfully submit that the presently claimed invention would not have been even remotely suggested by Kokta et al. Accordingly, withdrawal of the §103 rejection over Kokta et al. is respectfully requested.

Applicants respectfully submit that the present application is now in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending claims.

Should the Examiner deem that any further action by the Applicants would be desirable for placing this application in even better condition for issue, the Examiner is requested to telephone Applicants' undersigned representative at the number listed below.

Applicants do not believe that any additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

Date

6/25/07

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